

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:

WAYNE E. SAVAGE and  
BELINDA SAVAGE,

Appellants,  
Debtors Below.

No.: 04-CV-295

Bankruptcy No.: 03-12500-JKF  
Chapter 13

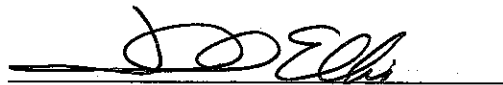
**MOTION TO WITHDRAW MOTION TO DISMISS APPEAL**

COMES NOW, John I. Ellis, Esq., attorney for Valley Pine Mortgage, Inc., a secured creditor, and moves this Honorable Court for an Order withdrawing the Motion to Dismiss Appeal filed by Movant, Appellee, and to grant Appellants, Debtors Below appeal and remand the same to the U.S. Bankruptcy Court, District of Delaware, so that the case can move forward.

IT IS SO MOVED.

STREET & ELLIS, P.A.

BY:



JOHN I. ELLIS, Esq.  
Attorneys for Appellee  
426 S. State Street  
P.O. Box 1366  
Dover, DE 19901

Dated:

4/18/05

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**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2005, and this Court having considered the Motion to Withdraw the Motion to Dismiss Appeal of Valley Pine Mortgage, Inc., the other pleadings, if any, and arguments of counsel or the parties;

IT IS THEREFORE ORDERED that this appeal is granted.

IT IS THE FURTHER ORDER of this Court that this case is remanded to the U.S. Bankruptcy Court, District of Delaware.

IT IS SO ORDERED.

\_\_\_\_\_  
JUDGE OF THE  
UNITED STATES DISTRICT COURT

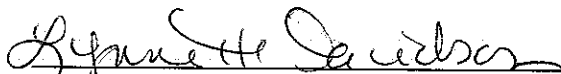
AFFIDAVIT OF SERVICE

STATE OF DELAWARE :  
: SS.  
COUNTY OF KENT :

BE IT REMEMBERED, that on this 18 day of April, 2005, personally came before me, a Notary Public for the State and County aforesaid, Lynnette Davidson, who, being duly sworn according to law, deposed and said that she is employed by the law firm of STREET & ELLIS, P.A., attorneys for Movant, Appellee in the within captioned action and that on the above date she caused to be mailed two copies of Motion to Withdraw Motion to Dismiss Appeal to the following party/attorney:

Wayne L. Savage  
Belinda Savage  
199 Walker School Road  
Townsend, DE 19734

Michael B. Joseph, Esq.  
Chapter 13 Trustee  
P.O. Box 1351  
Wilmington, DE 19899-1351

  
Lynnette Davidson

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_